

LANL PAAA Enforcement Program Requirements

Los Alamos National Laboratory
Laboratory Implementation Requirement Document LIR 308-00-07.0
Issue Date: January 29, 2004

Mandatory Document

1.0 Introduction

Lessons Learned Note: [Click here](#) for Lessons Learned that may apply to the requirements contained in this LIR.

1.1 Overview

The requirements contained in this (LIR) establish the institutional expectations for participation in the Price-Anderson Amendments Act (PAAA) enforcement program as defined in 10 CFR Part 820 "Procedural Rules for DOE Nuclear Activities" http://www.access.gpo.gov/nara/cfr/waisidx_03/10cfr820_03.html and "Identifying, Reporting, and Tracking Nuclear Safety Noncompliances Under Price-Anderson Amendments Act of 1988", Department of Energy (DOE) Office of Price-Anderson Enforcement (EH-6) Operational Procedures, dated June 1998 <http://tis-nt.eh.doe.gov/enforce/handbks/hndbkr4g.pdf>. The Laboratory must ensure management and supervisory systems are implemented to assure that all activities are performed in compliance with all DOE nuclear safety requirements.

A contractor report of a noncompliance does not automatically initiate enforcement action by the Department of Energy (DOE) and National Nuclear Security Administration (NNSA). Rather, DOE/NNSA reviews and evaluates all available information prior to determining whether the noncompliance has the requisite safety significance to warrant detailed enforcement action.

The requirements contained in [OST 308-00-07, Identifying, Reporting and Tracking of PAAA Nuclear Safety Noncompliances](#) must be implemented when implementing the requirements contained in this LIR, since it contains specific requirements for identifying, reporting, and tracking noncompliances. Checklists are included for use by the PAAA Points of Contact (POCs) and LANL Coordinators as required.

The requirements contained in this LIR complement [LPR 308-00-00, Institutional Quality Management](#) and are effective on the date of issue.

1.2 In This Document

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2.0 Purpose

The purpose of this LIR shall be to provide the institutional requirements for implementing DOE/NNSA expectations for identifying, reporting, and correcting nuclear safety noncompliances in accordance with 10 CFR 820.

http://www.access.gpo.gov/nara/cfr/waisidx_03/10cfr820_03.html

3.0 Scope/Applicability

The requirements contained in this LIR shall apply to all LANL organizations, subcontractors, suppliers, vendors, and personnel that must implement radiological safety requirements or conduct activities which impact, or have the potential to impact, the safety of nuclear facilities. These requirements shall apply to all classified and unclassified activities and must be the responsibility of the preparer of the documents to ensure the required classification reviews are performed.

The requirements contained in 10 CFR 820, http://www.access.gpo.gov/nara/cfr/waisidx_03/10cfr820_03.html, 10 CFR 830, Subpart A, <http://www.oab.lanl.gov/Regulations/10CFR830.pdf>, 10 CFR 835, http://www.access.gpo.gov/nara/cfr/waisidx_03/10cfr835_03.html, and 10 CFR 708, <http://www.oha.doe.gov/regs/rule708/031000Rule.html>, shall apply to (1) all Hazard Category-2 and-3 nuclear facilities; (2) any other facility or activity that supports or works with radiological material that could cause harm to the worker or public; or (3), any facility or activity that supports the nuclear safety of a facility. The requirements contained in 10 CFR 830, Subpart B, <http://www.oab.lanl.gov/Regulations/10CFR830.pdf>, shall only apply to Hazard Category 1, 2, and 3 nuclear facilities.

4.0 Acronyms and Definitions

4.1 Acronyms	AD	Associate Director
	CFR	Code of Federal Regulations
	DL	Division Leader
	DOE	Department of Energy

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LANL	Los Alamos National Laboratory
LASO	NNSA-Los Alamos Site Office
LPR	Laboratory Performance Requirements
NNSA	National Nuclear Security Administration
NOV	Notice of Violation
NSEB	LANL Nuclear Safety Executive Board
NTS	DOE Non-Compliance Tracking System
OST	Operations Support Tool
PAAA	Price-Anderson Amendments Act
PM	Program Manager
POC	point of contact
PS	Performance Surety Division
SET	LANL Senior Executive Team
SME	subject matter expert
UC	University of California
WG	working group

4.2 Definitions **collective significance** – A review of similar events, conditions, and/or related precursors to determine if they should be collectively reported at the NTS reporting level.

Enforcement Letter – official correspondence that communicates to the contractor (1) DOE's decision not to issue a Preliminary Notice of Violation for a noncompliance that has been reported to DOE; (2) DOE's basis for not pursuing enforcement; and (3) notice to the contractor of DOE's expectations for implementation of the contractor's commitments to implement actions for correcting the noncompliance.

extent of condition – A review of events that are considered precursors for nuclear safety that are to be reviewed for required PAAA reporting.

<p>Guidance Note: These precursors may not have occurred in or directly impacted a nuclear facility, but the underlying issues could have been applicable to a nuclear safety.</p>

LANL PAAA Coordinator – The representative(s) of the Laboratory (University of California employee) who serves as the Laboratory's point of contact on all LANL PAAA issues.

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level of reportability - All events or conditions reviewed for PAAA noncompliances that are: (1) NTS-reportable; (2) non-NTS reportable; or (3) not reportable.

noncompliance - A LANL identified failure to comply with the nuclear safety requirements that are defined in DOE nuclear safety rules and/or the LANL implementing program requirements.

Noncompliance Tracking System (NTS) - The DOE-managed system used for reporting NTS-reportable noncompliances.

non-NTS reportable noncompliance - A LANL determined nuclear safety noncompliance that is not NTS reportable.

nonreactor nuclear facility - Those facilities, activities or operations that involve, or will involve, radioactive and/or fissionable materials in such form and quantity that a nuclear or a nuclear explosive hazard potentially exists to workers, the public, or the environment, but does not include accelerators and their operations and does not include activities involving only incidental use and generation of radioactive materials or radiation such as check and calibration sources, use of radioactive sources in research and experimental and analytical laboratory activities, electron microscopes, and X-ray machines.

Notice of Violation (NOV) (Either a Preliminary or Final Notice) - Document setting forth the conclusion of the NNSA that one or more violations of DOE nuclear safety requirements has occurred.

NTS-reportable noncompliance - A LANL determined nuclear safety noncompliance that meets or exceeds DOE recommended reporting thresholds.

nuclear facility - Any LANL nonreactor nuclear facility where an activity is conducted for or on behalf of DOE/NNSA to include any related area, structure, facility, or activity, to the extent required to ensure the implementation of the requirements contained in DOE nuclear safety rules.

Nuclear Safety Executive Board (NSEB) - A committee comprising the LANL Senior Executive Team (SET) and chaired by the Laboratory Director, or his/her designee, to strengthen the Laboratory's nuclear safety posture by elevating to the senior management the details of issues that have or could have nuclear safety implications.

PAAA point of contact (PAAA-POC) - A representative from each division, facility, or program that is the point of contact for all respective PAAA issues and concerns contained in this LIR.

PAAA Working Group - A working group comprising PAAA-POCs and representatives from Laboratory Counsel, required SME(s), and the LANL PAAA Office.

violation - A PAAA noncompliance that DOE/NNSA has evaluated and determined to be a significant failure to comply with a nuclear safety requirement.

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5.0 Implementation Requirements

5.1 Roles and Responsibilities

Person/Organization	Must...
Weapons Program Associate Director (AD)	<ul style="list-style-type: none">• Designate a PAAA-POC for the LANL weapons program.
Division Leaders (DLs), Program Managers (PMs) and the primary sub-contractors (KSL/PTLA)	<ul style="list-style-type: none">• Designate a PAAA-POC who shall have the authority to act for their respective division, and/or facility, and/or program.• Ensure that a PAAA-POC has been assigned responsibility for any Hazard Category-2 and-3 nuclear facilities owned by the DL or PM.
PAAA Points of Contact (POCs)	<ul style="list-style-type: none">• Possess the level of knowledge required to determine (when provided supporting information) if an event or condition constitutes a reportable nuclear safety noncompliance.<div><p>Guidance Note: Examples of knowledge areas include the facility safety basis (documented safety analysis/technical safety requirements; unreviewed safety question process; work/worker authorization processes and the type of work at the facility; applicable quality assurance programs, documents, and practices; radiation programs, controls and practices applicable to the facility; and the 10 CFR nuclear safety rules:</p><p>10 CFR 835 http://www.access.gpo.gov/nara/cfr/waisidx_03/10cfr83503.html,</p><p>10 CFR 830 http://www.oab.lanl.gov/Regulations/10CFR830.pdf, and</p><p>10 CFR 820 http://www.access.gpo.gov/nara/cfr/waisidx_03/10cfr820_03.html</p></div>• Review information such as documents, ongoing meetings, safety committees, assessments, or informal networking to identify noncompliances with nuclear safety rules by implementing the requirements contained in OST 308-00-07 .• With advice from the LANL PAAA Coordinator, be responsible and accountable for providing the final determination of PAAA reportability of noncompliances.

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	<div>Guidance Note: The responsible DL should establish who has the responsibility for making the final noncompliance determination. The DL may opt to do this personally, or delegate the responsibility to their PAAA-POC.</div> <ul style="list-style-type: none">• Ensure that corrective actions are verified and validated prior to recommending closure.• Report any noncompliances to the LANL PAAA Office as soon as possible, but no later than two working days after discovery. These reports must be formally documented and documentation maintained by the PAAA-POC, with copies provided to PS-PAAA (paaa@lanl.gov).• Ensure prompt identification, reporting, and development of corrective actions for noncompliances.• Report issues, concerns, findings, and noteworthy nuclear safety practices to their DL, PM, or primary sub-contractor (KSL/PTLA) manager upon discovery.• Ensure required coordination and notifications of PAAA actions and/or issues within their respective division program facility management unit or primary sub-contractor responsible areas.• Serve as a member of the PAAA Working Group (PAAA-WG).• Attend <i>PAAA for Coordinators</i>, LANL Course #18653, training within 45 days of appointment as a PAAA-POC.
PAAA Office	<ul style="list-style-type: none">• Provide institutional support of the PAAA program.• Administer the LANL PAAA program in accordance with DOE, NNSA, UC, and LANL expectations.• Ensure that PAAA reporting and documentation are coordinated and approved by the responsible facility PAAA-POC and/or his/her senior manager;• Report the status of LANL noncompliances to the NSEB, PAAA-Working Group (WG), and facility PAAA-POCs,• Coordinate with the NNSA-Los Alamos Site Office (LASO) PAAA coordinator to ensure DOE/NNSA is informed of the status of LANL noncompliance issues.• Prepare for and facilitate meetings with DOE/NNSA concerning PAAA issues and enforcement actions.• Provide recommendations of PAAA categorization.• Ensure facility noncompliance fact gathering and causal factor

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	<p>determination.</p> <ul style="list-style-type: none">• Ensure PAAA reviews are documented.• Maintain the internal tracking system for non-NTS reportable noncompliances.• Prepare required noncompliance reports.• Facilitate the verification and validation of NTS reportable noncompliance corrective actions.• Facilitate the effectiveness reviews of NTS reportable noncompliance corrective actions.• Facilitate the evaluation of issues for institutional PAAA reportability.• Provide and disseminate required lessons learned.• Provide PAAA training for LANL personnel and PAAA-POCs.• Participate in NSEB meetings.• Chair the PAAA-WG.• Mentor facility and program staff members on PAAA identification expectations to include identifying nuclear safety PAAA NTS precursors.
Laboratory Counsel	<ul style="list-style-type: none">• Review legal aspects of PAAA matters, including noncompliances, NOV's, and DOE enforcement process.• Provide legal advice on PAAA matters to the LANL PAAA-Coordinators, NSEB, PAAA-WG, PAAA-POCs, and other Laboratory or UC personnel.
Supply Chain Management DL	<ul style="list-style-type: none">• Ensure the requirements of 10 CFR 830 Subpart A, Subpart B, and 10 CFR 835 are included in subcontracts and procurement documents as required.
Nuclear Safety Executive Board (NSEB)	<ul style="list-style-type: none">• Review facility and institutional trends and provide direction to correct any identified deficiencies.• Approve, as required, closure of LANL NTS noncompliance reports based on review of the causal analysis and evaluation of the corrective actions.• Review the status of PAAA corrective actions, the objective evidence of closure, and the effectiveness of corrective actions.
PAAA-WG	<ul style="list-style-type: none">• Review NTS reports and other material required to determine if the issues impact the nuclear safety of their respective facilities, report results to the group, and advise on institutional aspects of the events.

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	<ul style="list-style-type: none">• Evaluate if proposed facility and institutional corrective actions identified in NTS reports are supported by causal analysis, sustainable, clearly worded, and measurable.• Evaluate if additional corrective actions are required at either the facility or institutional level.• Conduct field validation of closed corrective actions in NTS reports prior to submission of closure recommendation to the NSEB.
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5.2 SPECIFIC IMPLEMENTATION REQUIREMENTS

5.2.1 Classification The NTS is an unclassified reporting system, thus classified material or unclassified controlled nuclear information **shall not** be transmitted into the system.

5.2.2 Procedures

- Facility specific procedures shall not be required; however, the facility/division PAAA POC must implement the requirements contained in [OST 308-00-07](#) for identifying and reporting PAAA noncompliances.
- Any facility-specific PAAA requirements/procedures must be coordinated with PS-PAAA.

6.0 Records

The following records shall be maintained and retained in accordance with the UC-LANL requirements (LIR 308-00-02, *Laboratory Records Management*) by the PS-PAAA Office:

- NTS and non-NTS Noncompliance Reports
- Investigation and causal analysis files (including PAAA-POC screens as required)
- Verification and validation documentation of corrective action closure

7.0 References

7.1 Document Ownership PS Division PAAA Office (paaa@lanl.gov) shall be the Office of Institutional Coordination for this document and shall be responsible for its contents.

7.2 Documents

- 10 CFR 820, Procedural Rules for DOE Nuclear Activities.
- 10 CFR 830, Nuclear Safety Requirements.

Subpart A: Quality Assurance Requirements

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Subpart B: Safety Basis Requirements

- 10 CFR 835, Occupational Radiation Protection.
- 10 CFR 708, DOE Contractor Employee Protection Program.
- Operational Procedures for Enforcement - Enforcement of DOE Nuclear Safety Requirements under Price-Anderson Amendments Act of 1988, DOE, Office of Enforcement and Investigation, June 1998.
- Operational Procedures for Enforcement - Identifying, Reporting, and Tracking Nuclear Safety Requirements Under Price-Anderson Amendments Act of 1988, DOE, Office of Enforcement and Investigation, June 1998.
- Identifying, Reporting, and Tracking of PAAA Nuclear Safety Noncompliances, LANL, OST 308-00-07, DOE, Office of Enforcement and Investigation, June 1998.
- Occupational Radiation Protection Requirements, LANL, LIR 402-700-01.
- Institutional Quality Management, LPR 308-00-00.
- Integrated Safety Management, LPR 300-00-00.
- Performance Assurance, LPR 307-01-00.